

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN WADE BURTON,

Defendant.

4:21CR3020

GOVERNMENT'S MOTION TO
CONTINUE TRIAL

Comes now the United States, by and through the undersigned Assistant United States Attorney, and for the reasons stated below, joins the defendant's motion to continue trial for 90 days. (Filing 48)

1. The defense has retained a computer forensic expert, Shawn Kasal. Kasal has not yet completed his review of the discovery and copy of the devices at issue in this case. The defense expects that once Kasal completes his review, Kasal will render an opinion that is critical to the defense's theory of the case. The defense is requesting a continuance so that Kasal will have time to complete his review and render an opinion.
2. Once Kasal completes his examination of the evidence, the government will need an opportunity to examine Kasal's report and conclusions, and to seek out a government expert to opine on Kasal's conclusions. Even if Kasal were to complete his examination soon, with trial only a little more than a week away, the government would not have a sufficient opportunity to have an expert review Kasal's report and to be ready to testify.
3. Additionally, the undersigned AUSA just completed a trial this week in another case. Substantial time and resources were

devoted to preparing for the other trial and trying the case, and more time will be needed to get ready for the trial in this case.

WHEREFORE, the government joins the defendant's motion to continue trial and likewise requests that the trial in this matter be continued by 90 days. The parties understand that if this request is granted, no more continuances will be granted, and that if the defendant does not plead guilty, the case will proceed to trial at the next setting.

Respectfully submitted,

UNITED STATES OF AMERICA,
Plaintiff

STEVEN A. RUSSELL
Acting United States Attorney
District of Nebraska

By:



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